FEE TRANSMITTAL FOR FY 2006

Effective on 10/01/2005. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT ($) _____500.00_____

Complete if Known:
Application No. ___09/845,088___
Filing Date ___April 26, 2001___
First Named Inventor ___J.J. Garcia Luna-Aceves___
Examiner Name ___Siddiqi, Mohammad A.___
Art Unit ___2154___
Attorney Docket No. 5543P003

_____ Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

_____ Check _____ Credit Card _____ Money Order _____ None _____ Other (please identify)

__X__ Deposit Account
    Deposit Account Number : __02-2666__
    Deposit Account Name: _____

__X__ The Director is Authorized to do the following with respect to the above-identified Deposit Account:
   __X__ Charge fee(s) indicated below.
   __X__ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.
   _____ Charge fee(s) indicated below except for the filing fee
   __X__ Credit any overpayments.
   __X__ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Large Entity		Small Entity				
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description		Fees Paid ($)
1011	300	2011	150	Utility application filing fee		_____
1111	500	2111	250	Utility search fee	1,000/500	_____
1311	200	2311	100	Utility examination fee		_____
1012	200	2012	100	Design application filing fee		_____
1112	100	2112	50	Design search fee	430/215	_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee		_____
1113	300	2113	150	Plant search fee	660/330	_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee		_____
1114	500	2114	250	Reissue search fee	1,400/700	_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____

SUBTOTAL (1) $_____0_____

Based on Form PTO/SB/17 (01-06) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 01/26/06

2. EXCESS CLAIM FEES

	Extra Claims	Fee from below	Fees Paid ($)

Total Claims _____ – 20 or HP = _____   X _____ = _____
 HP = highest number of total claims paid for, if greater than 20
Independent Claims _____ – 3 or HP = _____   X _____ = _____
 HP = highest number of independent claims paid for, if greater than 3
Multiple Dependent Claims   _____ = _____

Large Entity		Small Entity		
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) $____0____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each add'l 50 or fraction thereof	Fee from below	Fees paid ($)

_____ – 100 = _____ / 50 = _____ (round up to whole number) X _____ _____

Large Entity		Small Entity		
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) $____0____

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FEE CALCULATION (continued)

4. OTHER FEE(S)

Fees Paid ($)

Non-English Specification, $130 fee (no small entity discount) _____

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	120	2251	60	Extension for reply within first month	_____
1252	450	2252	225	Extension for reply within second month	_____
1253	1,020	2253	510	Extension for reply within third month	_____
1254	1,590	2254	795	Extension for reply within fourth month	_____
1255	2,160	2255	1,080	Extension for reply within fifth month	_____
1401	500	2401	250	Notice of Appeal	_____
1402	500	2402	250	Filing a brief in support of an appeal	500.00
1403	1,000	2403	500	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	500	2452	250	Petition to revive – unavoidable	_____
1453	1,500	2453	750	Petition to revive - unintentional	_____
1501	1,400	2501	700	Utility issue fee (or reissue)	_____
1502	800	2502	400	Design issue fee	_____
1503	1100	2503	550	Plant issue fee	_____
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	_____
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	_____
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	130	2814	65	Statutory Disclaimer	_____
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	790	2801	395	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) _____ _____

Other fee (specify) _____ _____

SUBTOTAL (4) $ 500.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Lester J. Vincent

Signature: _____

Date: September 27, 2006

Reg. Number: 31,460

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Based on Form PTO/SB/17 (01-06) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 01/26/06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application No.: 09/845,088

In Re Application of:
   J.J. Garcia Luna-Aceves, et al.

Filed: April 26, 2001

Art unit: 2154
Examiner: Siddiqi, Mohammad A.

Docket No.: 5543P003
Customer No.: 08791

Confirmation No.: 1603

Mail Stop Reply Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF IN SUPPORT OF APPELLANT'S APPEAL
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

This Reply Brief is submitted in response to the Examiner's Answer mailed July 27, 2006. This Reply Brief is submitted in support of this appeal from a final decision of the Examiner, mailed April 27, 2005 and an Advisory Action mailed July 8, 2005. Consideration of this appeal by the Board of Patent Appeals and Interferences for allowance of the above-captioned patent application is respectfully requested.

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TABLE OF CONTENTS

Serial No. 09/845,088   Atty. Dkt. 005543.P003

I. REAL PARTY IN INTEREST

The real party in interest is Adara Networks, Inc. a corporation of Florida having a place of business at 10 Victor Square, Scotts Valley, CA 95066.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences. The present application is related to the following co-pending applications: 09/810,148; 09/843,789; 09/844,759; 09/844,856; and 09/844,857.

III. STATUS OF CLAIMS

Claims 1 – 21 were finally rejected in an Office Action mailed April 27, 2005. Claims 12-21 have been canceled. Claims 1-11 are pending and are the subject of this appeal.

IV. STATUS OF AMENDMENTS

An amendment was filed on June 20, 2005, subsequent to the Final Office Action mailed on April 27, 2005. The Examiner entered the amendment and confirmed the final rejection of claims 1-11 in an Advisory Action mailed July 8, 2005. A copy of all claims on appeal is attached hereto as a Claims Appendix.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Claim 1, the only independent claim on appeal, reads[1] as follows:

A method, comprising:

directing a client's (105) request (402) for an information object to an information object repository (218) without regard as to whether the information object is actually stored at the information object repository; and

determining (404, 408), according to information included in a uniform resource locator (URL) whether the client is authorized to receive the information object.

Claim 1 thus refers to a method of determining whether a client is authorized to receive content that the client is requesting from an information object repository (e.g., a cache) according to information included in a URL.

Further discussion of an embodiment of this method is at paragraphs 79 et seq. of the present application. To summarize, the present invention includes an access control mechanism that allows owners of information objects (i.e., content) stored in caches or other information object repositories to control access thereto based on an access control label which may be included in the URLs for the content. (Specification at pages 35-36, paragraph 0079). Such control is provided, for example, by (1) assigning a set of access control labels to each user (e.g., network providers, content owners, etc.) for use in specifying the access control list to be used for a given URL, and (2) allowing the user to maintain the access control lists corresponding to the user's labels. (Specification at pages 35-36, paragraph 0079).

Given a system defined by such access control labels and the corresponding access control lists, security may be enforced by the cache servers (or other information object repositories), for example by allowing each cache server to store the current access control lists for all active labels. (Specification at page 36, paragraph 0080). In such cases, and as shown in Figure 4 of the present application, in response to receiving an HTTP request with a URL (e.g., from a client or other network component) for an information object (i.e., content), the cache determines (404) whether the correct access control label included in that URL is valid (i.e.,

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[1] Reference numbers as used in the drawings have been inserted in accordance with 37 C.F.R. § 41.37(c)(1)(v). The use of such reference numbers should in no way be read as limiting the claim to the illustrated embodiment.

according to the stored access control list). If not, the cache delivers an "unauthorized access" message to the requesting client. Otherwise, the cache further decides (408) whether additional client identifying information included in the URL is valid. If not, the cache delivers the unauthorized access message; otherwise the cache delivers the requested information object. (Specification at pages 36-37, paragraph 0082; page 37, paragraph 0083).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1 – 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,415,323 of McCanne ("McCanne I") in view of U.S. Patent No. 6,708,187 of Shanumgam et al. ("Shanumgam").

VII. ARGUMENT

Applicants reassert the arguments set forth in their Appeal Brief but additionally reply to the Examiner's Answer as follows.

A.   <u>Claims 1 – 11 are patentable over McCanne I and Shanumgam, which, when considered in combination, fail to teach "determining, according to information included in a uniform resource locator (URL) whether the client is authorized to receive the information object."</u>

The Examiner's Answer states that McCanne I and Shanumgam in combination disclose the use of "information included in a uniform resource locator (URL) to determine whether a client is authorized to receive requested content." Applicants respectfully disagree.

Claim 1, the only independent claim on appeal, reads as follows:

A method, comprising:

directing a client's request for an information object to an information object repository without regard as to whether the information object is actually stored at the information object repository; and

determining, according to information included in a uniform resource locator (URL) whether the client is authorized to receive the information object.

Claim 1 thus refers to a method of determining whether a client is authorized to receive content that the client is requesting from an information object repository (e.g., a cache) according to information included in a URL.

McCanne I discloses a redirection system in which packets are routed from a client to a service node based on topological locality. McCanne I at col. 5, ll. 21 – 25. When the service node to which a client request is made does not have a copy of the requested content, additional information in the URL is used to identify the particular location for the content in question. McCanne I at col. 9, ll. 52 – 54.

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By contrast, McCanne I does not disclose the limitation of claim 1 "determining, according to information included in a uniform resource locator (URL) whether the client is authorized to receive the information object."

Therefore, McCanne I does not disclose or suggest the limitations stated in claim 1.

Shanumgam discloses a LDAP database synchronization scheme in which user domain information is used to authenticate a user for access to a network resource. Shanumgam at col. 5, ll. 46 – 58. Shanumgam also discloses an authentication procedure in which the policy enforcer engages the VPN client by requesting username and password from the VPN client. Shanumgam at col. 15, ll. 44-48.

By contrast, Shanumgam does not disclose the limitation of claim 1 "determining, according to information included in a uniform resource locator (URL) whether the client is authorized to receive the information object."

Therefore, Shanumgam does not disclose or suggest the limitations stated in claim 1.

Even if McCanne I and Shanumgam were combined, such a combination would lack the limitation of claim 1 "determining, according to information included in a uniform resource locator (URL) whether the client is authorized to receive the information object."

If the authentication policy of Shanumgam were adopted in the redirection scheme described by McCanne I, one of ordinary skill in the art would be led to believe that user domain information (and NOT any URL information) should be used to authenticate clients as part of a content request. URL information, on the other hand, would be used to determine which content server to retrieve the requested content from, as taught by McCanne I.

Therefore, neither McCanne I nor Shanumgam, individually or in combination, disclose each and every limitation of claim 1. As such, claim 1 is not rendered obvious by McCanne I in view of Shanumgam under 35 U.S.C. § 103(a).

Claims 2 – 11 depend from claim 1 and are patentable over McCanne I and Shanumgam for at least the same reasons as set forth above.

B.   The combination of McCanne I and Shanumgam is based on impermissible hindsight and no adequate motivation or other reasons for combining these teachings has been presented.

The Examiner's Answer states that it would have been obvious to combine the policy enforcer for authorizing users of Shanumgan with the content distribution network of McCanne I by providing additional access information in the URL. The Examiner's Answer also states that U.S. Patent No. 6,785,704 of McCanne ("McCanne II") provides the motivation to combine Shanumgan with McCanne I. Applicants respectfully disagree.

Shanumgam discloses a unified policy management system including a central policy server and remotely situated policy enforcers. Private local networks are all coupled to a public network such as the internet via routers and internet service providers as illustrated in FIG. 1. Shanumgam at col. 3, ll. 60-67. Shanumgam also discloses a LDAP database synchronization scheme in which user domain information is used to authenticate a user for access to a network resource. Each user domain has a single remote policy enforcer who is authorized to authenticate the user. Thus, user domains ensure that the authenticating agent is generally located in the same local network as the user. Shanumgam at col. 5, ll. 46 – 58. Thus, Shanumgam teaches physical network with a centralized administration and user authentication occurring within a local network.

McCanne I discloses a redirection system with service nodes located throughout the network infrastructure that are coordinated across a wide area into a virtual overlay network that exploits scalable addressing, adaptive routing, and decentralized administration. Unlike a physical internetwork, where routers are directly attached to each other over physical links, service nodes in the virtual overlay network communicate with each other using the packet service providing by the underlying IP network. McCanne I at col. 4, ll. 30-46. When the service node to which a client request is made does not have a copy of the requested content, additional information in the URL is used to identify the particular location for the content in question. McCanne I at col. 9, ll. 52 – 54. Thus, McCanne I teaches a virtual overlay network across a wide area network with

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decentralized administration in which a client can attach to a service node to request content based on the URL.

It is respectfully submitted that McCanne I does not suggest a combination with Shanumgam, and Shanumgam does not suggest a combination with McCanne I because McCanne I teaches away from such a combination. It would be impermissible hindsight to combine McCanne I with Shanumgam based on applicants' own disclosure.

By way of contrast, if the authentication policy of Shanumgam were adopted in the redirection scheme described by McCanne I, one of ordinary skill in the art would be led to believe that user domain information authenticating within a local network (and NOT any URL information) should be used to authenticate clients as part of a content request. URL information on the other hand would be used to determine which content server to retrieve the requested content from, as taught by McCanne I.

The Examiner's Answer states McCanne ("McCanne II") provides the motivation to combine Shanumgan with McCanne I.

McCanne II discloses network interconnecting for providing content to a client. A request for the content is sent from the client to the redirector node that provides an address for a server available to serve the requested content. The redirecting can be done using a domain name service (DNS) server that responds to requests for domain name resolution that include metadata encoding for the content being requested and/or attributes of the resolution request other than a domain name or explicit client/redirector communication to perform the redirection. McCanne II at Abstract. Thus, McCanne II discloses a redirector system for serving a client request for content.

It is submitted that McCanne II does not disclose a motivation to combine McCanne I with Shanumgan. McCanne II teaches away from Shanumgan in a manner similar to how McCanne I teaches away from Shanumgan.

Consequently, the present rejections should be reversed.

VIII. CONCLUSION

For at least the foregoing reasons, applicants respectfully request reversal of the Examiner's rejections as set forth in the Final Office Action and request that the Board direct allowance of claims 1 – 11.
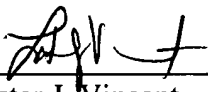
If there are any additional fees associated with this communication, please charge our deposit account 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 09/27/2006

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Seventh Floor
Los Angeles, CA 90025
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Lester J. Vincent
Reg. No. 31,460

<u>IX. CLAIMS APPENDIX (37 C.F.R. § 41.37(c)(1)(viii))</u>

The claims on appeal read as follows:

1.   (Original) A method, comprising:

directing a client's request for an information object to an information object repository

without regard as to whether the information object is actually stored at the information

object repository; and

determining, according to information included in a uniform resource locator (URL) whether

the client is authorized to receive the information object.

2.   (Original) The method of claim 1 wherein the information object repository is selected

according to specified performance metrics.

3.   (Original) The method of claim 2 wherein the specified performance metrics comprise

one or more of: average delay from the information object repository to the client, average

processing delays at the information object repository, reliability of a path from the information

object repository to the client, available bandwidth in said path, and loads on the information

object repository.

4.   (Original) The method of claims 2 further comprising instructing the information object

repository to obtain a copy of the information object.

5. (Original) The method of claim 2 wherein the information included in the URL comprises information identifying the requesting client.

6. (Original) The method of claim 5 wherein the information included in the URL further comprises information identifying an owner of the information object.

7. (Original) The method of claim 2 wherein the information included in the URL comprises one or more digital signatures.

8. (Original) The method of claim 7 wherein the one or more digital signatures identify one or more of: the requesting client, and an owner of the information object.

9. (Original) The method of claim 2 wherein the information included in the URL is compared with an access list at the information object repository to determine whether the client is authorized to receive the information object.

10. (Original) The method of claim 2 further comprising denying access to the information object if the client is not authorized to receive the information object, otherwise, returning the information object to the client.

11.   (Original) The method of claim 2 wherein the information included in the URL comprises multiple digital signatures and each digital signature is compared with an access list at the information object repository to determine whether the client is authorized to receive the information object.

Claims 12 – 21 (Canceled)

X. EVIDENCE APPENDIX

There is no evidence being relied upon by appellant in this appeal and therefore no documentation to be included in this Evidence Appendix.

XI. RELATED PROCEEDINGS APPENDIX

There are no related proceedings and therefore no documentation to be included in this Related Proceedings Appendix.